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## NOTES.

### I. MUNICIPAL GOVERNMENT.

**New York.**—“*Consolidated Elections.*”<sup>1</sup> “Consolidated elections” is a term which has recently come much into vogue in the up-state districts of New York, and which is perhaps best defined by saying that it means the opposite of separate municipal elections. Until recently the city of Ithaca held its municipal elections in the spring. Ostensibly because of the extra expense involved in holding these elections separately, the Republican City Committee in the early part of this year called upon the assemblyman representing the Ithaca district at Albany to secure the passage of a bill “consolidating” or combining the city election with other elections. As it was understood at the time that the city election would be put in the fall of the odd years, and would thus be combined with the election of the short state ticket only, little or no opposition was made to this movement. But when the bill, which was of course a special measure and as such had to be submitted to the mayor and council of the city before final action was taken upon it, reached Ithaca, it was discovered that the city election had been shifted to the fall of the even years and would thus coincide both with elections for the full state ticket and with national elections.

Considerable opposition to the bill in its new form was immediately made manifest, and at a public hearing held on April 10, by the mayor and council, there was a very lively discussion regarding the bill itself, its origin and the circumstances under which the above-noted change was made. Those favoring the bill pointed out the saving to be effected by it, which was estimated at about six hundred dollars on each municipal election—no inconsiderable item in the budget of a city so small and with a tax rate so high as Ithaca. To the objection that city interests might be jeopardized if decision upon them were to be made at a time when the voters were under the influence of strong party feeling engendered by a hard-fought national or state campaign, the reply was that the voters of so enlightened a place were perfectly competent to keep the issues of the three-ringed political circus—national, state and municipal—sharply distinct in their minds and at the ballot-box. It was further argued that while the machine-led mass and the venal element could always be counted on to be on hand at any and all elections, there was, under the separate election system, a strong tendency among

<sup>1</sup> Contributed by Robert C. Brooks, Cornell University.

the best element of the city's voters to remain away from the polls during municipal elections, owing to the false notion that such elections are of small importance in comparison with state and national elections. This fact, it was claimed, gave the party boss greater power over the city under the separate system than he could hope to attain with combined elections.

The issue was decided in the council by a strict party vote and the bill has since received the signature of the governor. Similar movements have occurred recently in a number of other smaller municipalities in the state. Since most of these cities are normally republican, and since combined elections would usually favor that party in municipal affairs which had the larger regular following during national campaigns, there is more than a suspicion among those who uphold the separate system of elections that the movement was started "by authority."

**New Orleans.**<sup>1</sup>—The wharves of New Orleans have for many years been leased to contractors who collected dues for wharfage and kept the wharves repaired, lighted and policed.

The lease has expired and the wharves have been placed under the management of a commission who propose to make New Orleans as near a free port as possible, and at the same time give good facilities for loading and unloading. The month of June, the duller in the year, is the first month of the new administration.

The following comparative statement shows earnings of the Board of Commissioners of the port of New Orleans from wharfage dues on vessels arriving during the month of June, 1901, and the amount that would have accrued to the wharf lessees from said arrivals under the former rates :

	—Wharfage Accounts—		Reduction.
	Old Rate.	New Rate.	
Sea-going vessels . .	\$17,658 56	\$10,155 55	\$7,503 01
Steamboats . . . .	1,048 32	786 24	262 08
Miscellaneous . . .	692 84	519 63	173 21
Luggers . . . . .	185 60	139 20	46 40
Transportation barges	1,033 28	774 96	258 32
Total . . . . .	\$20,618 60	\$12,375 58	\$8,243 02

**Wisconsin.**<sup>2</sup>—*Municipal Charter Legislation in Wisconsin.* We have in Wisconsin what is known as the League of Wisconsin Municipalities. More than sixty cities, through their mayors, are connected with this organization. The city of Milwaukee stands in a class by itself and is not connected with the League of Municipalities. Our

<sup>1</sup> Contributed by B. R. Forman, New Orleans.

<sup>2</sup> Contributed by C. E. Monroe, Milwaukee.

cities generally operate under special charters, many of which are quite old. They date back to a time when it was easy to get the people out to vote and almost all of them provide for annual elections of mayor and aldermen. The powers of mayors are very limited. These features are true almost universally, but there are two cities—La Crosse and Oshkosh—whose charters give their aldermen a four years' term of office. In other features the various charters differ greatly among themselves. Feeling the disadvantage of these diversities in their organic laws and feeling also the weakness of many of their common features, an attempt was made to remove these disadvantages by means of a bill, which should be of uniform operation throughout the state. This provided for longer terms for municipal officers and added to the powers of the mayors. The first tentative bill was introduced in both houses of the legislature, and, when a discussion of its merits had shown its inapplicability to some of the municipalities affected by its provisions, a carefully drawn substitute was offered in its place. Curiously enough there were, in many quarters, objections to the extension of the terms of aldermen and mayors from one year to two. The final result of the effort of the League of Wisconsin Municipalities was the passage of an act extending the terms of elective administrative officers to two years.

Two bills were introduced in the Assembly which deserve mention. One of these proposed an amendment to that provision of the constitution of the state which limits the indebtedness of municipal corporations to 5 per cent of the value of the taxable property therein, so as to permit the incurring of additional indebtedness of 5 per cent for the purchase or construction of water or lighting works and such other public utilities as the municipalities may be authorized by law to own and operate. The bill was killed. The second bill, general in its application, was too novel and too good to succeed, and, consequently, suffered the fate of the other. It provided that "No ordinance for granting a franchise to perform a public service, or make use of public property, or for the extension of any existing franchise, shall be operative in any city in this state until after sixty days from the date of its passage; and if during such period of sixty days a number of qualified voters equal to 5 per cent of the total number of votes cast at the last preceding election in such city shall demand that the ordinance shall be submitted to a direct vote of all the voters, such ordinance shall not be valid or operative until it shall have been so submitted and approved by a majority of those voting upon it."

Another bill was introduced, the material section of which is as follows: "Power is hereby given to the common councils of cities and to the trustees of incorporated villages to alter franchises hereto-

fore or hereafter granted by such cities and villages to persons or corporations." The purpose was to put into the possession of municipalities a power of amendment of franchises which would enable them to overcome the plea of contract rights so generally urged by the donees of public grants. It was killed, of course.

A common provision of our municipal charters requires the publication of the terms of proposed grants of public franchises for a certain length of time in advance of action upon them by the common council, and where substantial amendments have been made in the original franchise, these also are required to be published in the same way. An effort has been made to do away with this requirement so far as it relates to the amended franchises, but this measure has failed to pass.

A certain class of bills, which is generally received with favor in our legislature, has met the unusual fate at this session of receiving the governor's veto after successfully running the gauntlet of both houses. These are bills through which the legislature attempts to interfere with local government by fixing or raising the compensation of local officers. A number of these were introduced at the present session, coming principally from the city and county of Milwaukee. The governor has put his veto upon the ground that matters, like these, of purely local interest should be decided by the local legislative authority.

**Biddeford, Me.**—*Non-partisan Municipal Government.*<sup>1</sup>—Biddeford has a population of 16,500, about 2,800 voters and a valuation of \$7,000,000. The principal industries are the construction of cotton manufacturing machinery, giving employment to 1,200 men, and the manufacturing of cotton goods, in which about 3,500 people are employed.

Up to March, 1896, state and national politics entered largely into our municipal elections, first one party and then the other exploiting the city for party purposes. Contributions to the election fund were expected and received from party members, offices and profitable contracts naturally finding their way into the hands of the liberal contributors. Corruption at the polls and vote buying had become notorious. One man told me that he had helped put out \$2,200 in buying votes in one ward, and he thought the opposition had put out as much more in the same ward for the same purpose—that as much as \$100 had been paid for a single vote—and \$50 had frequently been paid. In the scramble, vote-sellers had come to number about 20 per cent of our voting population, while election days were noted for drunkenness and disturbances at the polls were not infrequent.

On January 31, 1896, according to our treasurer's report we had out-

<sup>1</sup> Contributed by Howard Hamilton, Secretary Citizens' Municipal Association.

standing notes and bonds amounting to \$486,300, or \$139,000 indebtedness beyond the legal limit of five per cent. In addition to the above, a large balance account was carried into the next year, and there were thousands of dollars worth of open accounts held against the city, the amount of which it took some time to ascertain.

In February, 1896, previous to our annual March election, a few of the leading men of both parties met to devise some means of ridding the city of the evils of partisan government, and formed a preliminary organization, which later became the Citizens' Municipal Association. This organization demanded that state and national politics should be absolutely eliminated from municipal affairs; that city officers be nominated and elected solely on account of their honesty and efficiency, and that municipal affairs should be conducted upon non-partisan and strictly business principles. The movement grew rapidly in numbers, nominations were made, equally divided between the best men of the two old parties, and endorsed by the Democratic party. After an exciting campaign, at an exciting election, the "citizen" candidate for mayor was elected by a good majority, while the ticket was elected in four of the seven wards, thus giving the "citizens" control of municipal affairs.

At the first inaugural of our "citizen" mayor he said in his address, "instead of a debt of \$486,000 we have a debt of nearly \$600,000, or 8½ per cent of our valuation." We were in condition to repudiate a large amount, but, to the credit of our citizens, repudiation was not thought of. It is not necessary to go into details as to the ways and means that were used to extricate the city from this predicament, but suffice it to say that every succeeding election has shown increasing faith in the principle of administering municipal government on a non-partisan and business-like basis.

In March, 1897, we re-elected our mayor by an increased majority and carried six of the seven wards. In 1898 and 1899 the "citizen" mayor was elected and all seven wards carried. In 1900, and again in 1901, there was no opposition to the "citizen" candidates, all officers of 1900 being re-elected in 1901. On January 31, 1901—the end of the fifth year of non-partisan administration—our treasurer stated in his annual report that the city's net indebtedness was \$355,400. Deduct this last amount from \$600,000 debt, as estimated by our mayor in March, 1896, and we show a reduction of our debt, in five years, of about \$245,000. During that same time the tax rate has been reduced 20 per cent.

In addition to the financial benefits that have been derived from this non-partisan movement, there are moral benefits resulting from the abolition of corrupt practices at the polls. Our example is being fol-

lowed by other cities of the state. Our neighboring city, Saco, has this year elected its first non-partisan city government, and the following towns in York County have also fallen into line and elected officers belonging to both the old parties, viz.: Old Orchard, Alfred, Lebanon, Shapleigh and Waterboro. It is proposed to extend this movement to the election of county officers.

**Brooklyn.**—*Special Legislation.*<sup>1</sup> The legislature of 1901 passed many bills affecting the city of New York as a whole, and a few measures applying exclusively to the borough of Brooklyn. Of the latter may be mentioned a bill providing for the depression of the tracks of the Long Island Railroad Company in Atlantic Avenue, partly at public expense. When Brooklyn was an independent municipality legislative authority for depressing the tracks was secured, but the expenditure of public money on the work was conditioned on the acquirement of a franchise for a tunnel to connect the existing terminal of the railroad with a point in Manhattan. There were difficulties in the way of getting the franchise, and the law was amended later so as to separate the track depression feature of the improvement from the tunnel scheme. Further amendments were proposed both last year and this. Mayor Van Wyck has vetoed all the amendments because he is opposed to the use of public money for the relief of the railroad. But the people of Brooklyn have insisted on the improvement of the street through which the railroad runs, and have persuaded the legislature to overrule the opposition of the city government. This is legislative interference from Albany at the earnest solicitation of the community interfered with. It is appeal from the home government to the government in Albany. The law as it now stands has removed all known obstacles in the way of improving the street.

Then again, the legislature has passed a bill providing for the opening of Bedford Avenue through a new district, on conditions different from those provided in the charter. The opened street will be something like a boulevard for the benefit of those who want to reach the sea by the most direct route. The owners of adjoining property thought that the city should pay a larger proportion of the cost of opening it and paving it with asphalt than was permitted by the charter, so they asked the legislature to provide that the city should pay two-thirds of the cost of the improvement. Again, in spite of the mayor's objections, the legislature granted the request of the interested people.

*Charter Revision.* The general revision of the charter has affected the borough of Brooklyn more than any of the special bills passed for

<sup>1</sup> Contributed by George William Douglas, Brooklyn.

specific purposes. Under the new charter, which is to go into effect next year, Brooklyn will have a greater degree of independence than under the old system of borough government. The borough president will be practically a commissioner of public works for the borough. He will appoint a commissioner of highways and a building commissioner, who will superintend the inspection of buildings and the laying of pavements. The local members of the Board of Aldermen will constitute a local board of improvement, and will have power to authorize various improvements, subject to the approval of the Board of Estimate and without consultation with the general Board of Aldermen. The plan provides for something like a confederation of municipalities rather than for an extremely centralized government. It is experimental and no one knows just how it will work in practice. There is hope, however, that it will facilitate the transaction of public business. While there has been decentralization in the exercise of the powers of the Board of Aldermen, there has been centralization of the control of the schools. There was strong objection to this plan in Brooklyn, and it is feared that it will not work satisfactorily because it puts the management of the local schools in the hands of men who can know little about their needs.

**Denver.**—*State Boards.*<sup>1</sup> According to the charter of the city of Denver, as at present in force, the Board of Public Works and the Fire and Police Board are appointed biennially by the Governor of the State of Colorado.

*The Board of Public Works* has "exclusive management and control of the construction, reconstruction and maintenance of all public and local improvements," including streets, sidewalks, sewers, bridges, viaducts, tunnels and the like, except "buildings used exclusively for fire and police purposes, or for hospitals or workhouses." For these purposes the Board has in charge the expenditure of money voted by the city council, the assessment of private property for local improvements and the issuing of bonds and warrants.

At the general city election of April, 1899, the tax-payers of Denver voted to authorize a bond issue of \$400,000 for the purpose of building an auditorium. The bonds were declared invalid by the Supreme Court on account of defects in the ordinance passed by the city council in March, 1899.

At a special election held on November 6, 1899, a bond issue of \$4,700,000 was voted for the purpose of acquiring a municipal water plant. The Board of Public Works proceeded to sell the bonds and obtained a first payment of \$100,000 on October 15, 1900. Before the second payment of \$100,000 became due the Board was served with an

<sup>1</sup> Contributed by Prof. J. E. Le Rossignol, University of Denver.



injunction by the United States Circuit Court at the instance of the Denver Union Water Company. The injunction has been sustained for several reasons, and it is probable that the water bonds are invalid.

For these miscarriages the Board of Public Works has been severely blamed. It is claimed by the advocates of "home rule," who are many and influential, that state and federal politics are too intimately connected with the municipal affairs of Denver. They say that the Board of Public Works is notoriously wasteful, that taxation is too high, that there is much corruption, that local interests are sacrificed to political expediency, and that the general administration of the Board is bad and could hardly be worse.

*The Fire and Police Board* has control over the fire and police departments, grants liquor licenses and has power to suppress gambling and disorderly houses.

It is generally admitted that the fire department is efficient, but it is asserted that the police department is grossly incompetent and corrupt. On February 6, 1901, a detective on the police force was accused of having secured the release from prison of two women pick-pockets. While denying the charge, the detective proceeded to accuse a police captain and two detectives of systematically protecting saloons, gambling places and disorderly houses, and of receiving money in return for this protection. The President of the Fire and Police Board at once ordered an investigation into the basis of these charges. The investigation continued daily from February 8 to February 16. In the course of the investigation sufficient evidence of a more or less incriminating character was adduced to show that there was no little corruption in the force. Captains, detectives and patrolmen were accused of the most flagrant neglect of duty, of complicity with criminals, of receiving money as blackmail from people of this class, and even of entering into partnership with them. The Board gave its decision on February 19. The members of the police force who had been accused, including two captains, three detectives and two patrolmen, were dismissed or asked to resign. The Board did not think the evidence sufficient to warrant the prosecution of the accused persons, but thought it wise to dismiss them for the sake of the efficiency of the force. It is possible that the charges were made largely at the instance of the political enemies of the Board, and it is not improbable that the investigation was made somewhat searching because of the approaching city election.

At the election, the regular members of the police force, together with special policemen enlisted for the occasion, were very active as partisans on the side of the "Fusion" or Democratic candidates.

Nevertheless, a majority of the Republican candidates, including the mayor, were elected. There is, therefore, now a division of executive power between the Republican mayor and Council and the Democratic Board of Public Works and Fire and Police Board. There will be a good deal of friction in the administration on this account, but the opposing forces may perhaps be trusted to watch one another closely, and thus to prevent or punish any flagrant misuse of power.

*Home Rule.*—The advocates of "home rule" succeeded in having two measures submitted to the State Legislature during the past session. One of these, the Rush bill, was passed. The other, the Parks bill, failed to pass. The latter bill proposed to give immediate home rule to Denver, by giving the mayor power to appoint the Board of Public Works and the Fire and Police Board. This measure was opposed by the politicians for obvious reasons. The Rush bill, which is now law, provides for submitting to the people of Colorado, at the next general election, an amendment to the constitution of the state, providing for the consolidation of the city of Denver with the county of Arapahoe, the whole to be known as the "City and County of Denver." This corporation is to have almost complete control of its own affairs. It is probable that the people will not vote in favor of this change.

*Montreal.*<sup>1</sup>—*Framework.* The municipal framework of Montreal, as it exists to-day, plainly indicates a copying of English models modified somewhat by American ideas and conditions. At the same time there are one or two points which remind one very strongly of German methods.

To begin with, so far as its relations to the Provincial Parliament are concerned, the city is subject to the same vicious interference in every petty detail as are municipalities in most of the states. The distribution of power to the several provinces of the Dominion, instead of its centralization in the Dominion government itself, is probably responsible for the absence of the sound, sane, indirect governmental regulation of municipal affairs from central boards, which is so characteristic of Great Britain, as a similar decentralization is responsible for the presence of the evils which are so common in American cities. The Provincial Parliament can amend any section of the city charter, and more than that, can grant franchises without safeguarding the city's interests in any way. At the present time it is much more feared than the city council. The source of all power within the limits of the provisions of the city charter is the city

<sup>1</sup> Contributed by Francis H. McLean, General Secretary Charity Organization Society, Montreal.

council or board of aldermen. As in English cities the various departments of the city government are managed and controlled by aldermanic committees, which are of course responsible to the entire council. All officers are appointed through the council. The mayor, exercising a supervisory power, may suspend any officer for misconduct, but must immediately report his action to the council. There is not the slightest tendency observable to concentrate power in the hands of the mayor or to have the departments administered by separate boards or commissioners. City councils in Montreal have not been as superior in personnel as have those in England. There have been scandals and jobs and rings in them. Nevertheless, they have never dropped entirely below the plane of respectability and have done fair work, with some notable exceptions, through administrative committees.

*Electoral Qualifications.* The voting franchise in city elections is conditioned by property or rental qualifications, in addition to the usual limitations. Ownership of property assessed at \$300, or rental of premises which brings in a sum of thirty dollars per year or more is required of all. Tenants are given the same rights as proprietors because they are subject to a water tax amounting to  $7\frac{1}{2}$  per cent of the rental value of the property they occupy. Owing to the low rental value necessary to qualify, practically every tenant is a possible voter. The classes which are definitely excepted are lodgers, roomers, boarders, guests in hotels, etc. It will be seen that the possibility of colonization is reduced to zero. A tenant cannot qualify unless he has occupied his rented premises for a number of months previous to the election. All paid employees of the city are debarred from voting, thus doing away with another possible source of corruption. Any one whose property, water or business license tax becomes overdue cannot vote during the term of such delinquency. If any such tax is remitted the disqualification continues until a subsequent tax is paid. Most interesting of all, a property owner may qualify as a voter in every ward in the city if he has sufficient immovable property in each. If he qualifies in more than one ward he can vote for mayor only once, but may vote in each such ward for the aldermen. This reminds one strongly of German municipal electoral systems.

At the general municipal election property owners and rent payers may vote. In special elections, principally affecting property rights, the city council may limit the voting lists to property owners or not as it chooses. If, however, it asks for a special loan in excess of the funded debt limit only property owners may vote. To emphasize the basic principle that the franchise comes through the ownership or rental of property—spinsters and widows may qualify, and husbands

who cannot qualify may vote for their wives, who can. As a matter of fact very few women attempt to vote.

*Qualifications for Office.* In order to be eligible for the position of mayor, the assessment rolls must show that the candidate owns immovable property to the value of \$10,000 above encumbrances. For alderman, property to assessed value of \$2,000 is required. Not only must the assessment rolls show title to property so valued at the time of election, but any such officer is subject to immediate removal, if at any time during his term of office it can be proved that he does not still possess the qualification.

*Montreal's Debt.* Montreal's funded debt at the end of 1899 amounted to eighteen and one-tenth per cent of the total assessed valuation of all the taxable property on the rolls. This extraordinarily heavy debt burden is largely caused by the undertaking of very extended street improvements not justified by the rate of increase in the tax rolls; and also because the tax rate upon immovable property is limited to one per cent. As to the first cause. The street laws of Montreal are peculiar in that the brunt of the burden of widening and paving streets is borne by the city as a whole and not by the adjoining property. Even after the reforms in this regard introduced in the new city charter of 1899, the following unfavorable conditions remain :

1. *Expropriation of property and widening* of any street may be declared by a three-fourth's vote of the Council, with the approval of the mayor, to be a general improvement. If so declared the costs are met from the General Fund. Other widenings may be ordered upon petition of a majority of the property owners and then the costs are borne entirely by them. The assessment *district* plan appears to be unknown.
2. In *paving the streets* it is permissive for the council to order half the expenses to be borne by the adjoining property. As a matter of fact it has never yet been done but the entire costs are paid from the city's funds.
3. One-half costs of *permanent sidewalks* falls upon property owners, one-half is assumed by the city.
4. For *ordinary street mains and laterals* the costs are borne entirely by the property owners.

That in the main the responsibility for street improvements is considered to rest upon the city is indicated by the fact that it acts as a surety or endorser for property owners delinquent in the payment of street assessments. Instead of forcing the contractors to obtain judgments through the courts it pays them the full amount of the delinquencies by means of floating bond issues and then itself sues. How serious a burden this is, is indicated by the fact that on December 31, 1899, the city was endeavoring to recover

through the courts over \$762,000, due from owners and covered by bonds.

What might be expected under this system actually happened. It furnished the opportunity for the satisfaction of a wild craze for street improvements which took hold of the city council in 1888 and did not leave it until 1895. During that short period of seven years the funded debt of the city rose from \$11,270,101 to \$25,046,341. No large public improvements were undertaken outside of street work. It is certain that the increasing valuation of real estate did not justify the very large accretions to the city's debt and that the temptation afforded by a system which so often obviated protesting property owners and in many other cases appeased them by liberal assistance from the city was one quite likely to result in lavish expenditures.

It may be claimed that as this over-liberality embodied itself in the shape of permanent improvements it will in the end justify itself. The trouble, however, is that it has piled up such a heavy debt against a permanent fixed tax-rate, that the city since 1895 has had to be administered with destructive parsimony. Renewals and repairs have not been made when they should, and the result has been very costly to the city. In 1896, two-fifths of the income of the city went to meet interest charges on bonds. Besides that it has not left opportunity for normal growth as the local conditions change. Improvements have been made in some quarters years ahead of time while in fast-growing localities necessary betterments have been postponed to the indefinite future. The rage has been all the more costly because of the peculiar race conditions. The east end of the city is practically a French section and the west end an English-speaking section. There is still much jealousy existing between the two sections and in the council the only way it can be allayed is by balancing the improvements made by the city in each quarter. If a street is widened or paved in one quarter, that improvement must be offset by the widening or paving of a street in the other quarter. Such a policy may furnish an object lesson in diplomacy but it is not economical. Certain wise amendments have been made in the new city charter but it will be some time before property owners are educated up to the new ideas. They are realizing, however, that their heavy debt so suddenly increased is responsible for filthy, unkempt, unswept streets, for sewers in bad repair, for a badly equipped fire department and for numerous other evils.

*Revenues.* The funded debt might not have increased to such proportions had it not been that the city was committed to a one per cent limit on the taxation of real property exclusive of school tax—a limit maintained in the new charter. This is the chief tax imposed

but there are two other very important ones—a tax of  $7\frac{1}{2}$  per cent of the annual rental value of all occupied houses and buildings for water rates and a tax of  $7\frac{1}{2}$  per cent of the annual rental of business premises known as the business license tax. In the year 1899 these three taxes yielded the following sums:

1¼ per cent on real property (general and school tax) . . . . .	\$1,666,690.77
Water Tax— $7\frac{1}{2}$ per cent of annual rental values . . . . .	721,036.32
Business License Tax— $7\frac{1}{2}$ per cent of annual rental values (including personal property taxes) . . . . .	268,927.74

As to present financial condition. Under the terms of the new city charter all the various funded debts were combined into the Consolidated Debt of \$27,000,000. This was fixed as the permanent debt limit until such time as that sum shall not exceed 15 per cent of the assessed valuation of the taxable property of the city. Then 15 per cent shall be the limit. As was indicated above, this point has not yet been reached, the debt still exceeding 18 per cent of the total valuation of real property which in 1899 was \$149,248,485. In the interim the council may issue bonds to a limited amount based on 10 per cent of the annual increases in the assessment valuations from year to year, for permanent improvements only. This power shall cease when the 15 per cent limit above mentioned has been first reached. The city council is also empowered to take a vote of the property owners as to whether bonds shall be issued for other special purposes. It is doubtful if this power will be of much practical value as the extravagance of preceding years in street improvements has been followed by an absurdly extreme conservatism. Only a short time ago a proposition submitted for the issuance of bonds to the amount of \$100,000 for adequately equipping the Fire Department was defeated at the polls, the total vote representing less than 10 per cent of the property owners—this despite the fact that fire insurance rates have been advanced very heavily lately in the business section owing to the condition of the department.

**Havana.**—*Organization of the City Government.*<sup>1</sup> The municipal government is regulated at present by the municipal law of 1878, with the amendments to the said law ordered from time to time by the military governor. The Municipal Council (*Ayuntamiento*) is composed of twenty-four councilmen (*Concejales*), being elected by popular vote. Minority representation (limited vote) and the Australian ballot have been adopted. Electors registered in May, 1901, numbered 27,305. Voters at the municipal elections must possess the following qualifications: (1) The voter must be a native male Cuban,

<sup>1</sup> Contributed by Señor don Antonio Govin, Professor of Administrative Law in the University of Havana.

or the son of a native male Cuban, born while his parents were temporarily residing abroad, or a Spaniard included within the provision of Article IX of the Treaty of Paris, who has not made declaration of his decision to preserve his allegiance to the Crown of Spain. (2) He must be of the age of twenty-one years or upward on the day preceding the day of election. (3) He must have resided in the municipality at least thirty days immediately preceding the first day of registration; and in addition to the above he must possess any one of the following qualifications: (a) Ability to read and write. (b) Ownership of real or personal property to the value of \$250, United States currency. (c) Service in the Cuban Army prior to July 18, 1898, and honorable discharge therefrom, whether a native Cuban or not. No person shall be qualified to vote who is insane or an idiot, or who is a resident in, or supported by, any public charitable institution, or who is deprived of, or suspended from, the exercise of his political rights by sentence of a court, except in cases where the conviction is for a crime of a political character. No person shall be a candidate for office in any municipality, unless he is a qualified elector of that municipality and is able to read and write.

*Municipal Council.* The term of office is one year and all the councilmen retire from office at the same time (on July 1). The office is gratuitous, obligatory and honorary. At its first meeting the new Municipal Council proceeds with the election of two councilmen who, under the name of Advocate-Syndics (*Procuradores Sinduos*), are to represent the corporation in all the suits which may be instituted in the defence of the municipal interests, and revise and audit all the local accounts and budgets. At its second meeting, the Municipal Council fixes the number of standing committees into which it is to be divided, entrusting to each one of them all the general business of one or more of the branches which law places in its charge. There are four committees: Budget and Accounts; Ways and Means; Urban Police; Charities and Correction. The Municipal Council is a financial administrative body and may only exercise the functions entrusted to it by law. The government and administration of all special municipal interests are under its jurisdiction. It appoints and removes all the employees and clerks paid with municipal funds and which are necessary for the fulfillment of the services entrusted to it. The council has a secretary, selected by the corporation, which office is incompatible with all other municipal offices, the salary being \$3,500 a year.

*The Executive.* The mayor (*Alcalde*) is elected by popular vote. The term of office is one year, the salary, \$6,000 a year. Five deputy mayors (*Fenientes de Alcalde*) are selected by the Municipal Council, from among the councilmen. The office is honorary. The mayor is

the representative of the government and as such is to exercise all the powers entrusted to him by the laws under the direction of the governor of the province in all that refers to the publication and execution of the laws and general provisions of the Central Government. The mayor, who is the president of the Municipal Council, bears its name and represents it in all matters with the exception of the powers granted to the Advocate-Syndics. Furthermore, as the chief of the Municipal Administration, he has the following powers and duties: to publish, execute and order the approved resolutions of the Municipal Council; to suspend the execution of resolutions of the Municipal Council when questions are involved which, according to law, do not come under its jurisdiction; to direct all that relates to the urban and rural police; to direct and supervise the conduct of all the employees of the urban and rural police, punishing them with suspension from office and salary, not to exceed thirty days; to exercise all the duties proper to the office of supervisor and chief of the investment of municipal funds and of its accounting system. Deputy mayors, in their respective sections, should always act by delegation and under the direction of the mayor. The city is divided into forty wards. In each ward there is a *prefect*, who is appointed and removed by the mayor. He must possess the qualifications of an elector.

*Finance.* There is a treasurer, elected by popular vote, with a salary of \$3,000 a year. He draws up the annual budget, the report of the Advocate-Syndic being required. The Municipal Board may propose amendments to the budget. This body is composed of the Municipal Council and of associate members in equal number with councilmen, appointed from among the taxpayers of the municipal district. The budget must be approved by the Municipal Council.

*Budget 1901-02.* Expenditure: \$2,248,197.83, United States currency. Revenue (main branches): municipal property, \$139,143.38; land tax, \$750,251.94; trade tax, \$752,600. Tax rate, three per cent on rural real property; nine per cent on urban real property. Debt, \$12,253,931.22. The collection and administration of the municipal funds are in charge of the Municipal Council and take place through their agents and delegates. The distribution and investment of the said funds are resolved upon every month by the Municipal Council, subject to the budget. Payments are ordered by the mayor.

*Centralization.* According to the Cuban constitution, there is no relation between the city administration and the Republican Legislature. The local government is to be regulated by general laws. The municipality is autonomous.

*Population.* The population of Havana according to the census of 1899 was 242,055.